

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AVX CORPORATION,  
Petitioner,

v.

SAMSUNG ELECTRO-MECHANICS CO., LTD.,  
Patent Owner.

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PGR2017-00010  
Patent 9,326,381 B2

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Before SALLY C. MEDLEY, JONI Y. CHANG, and  
TRENTON A. WARD, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

ORDER  
Conduct of the Proceeding  
*37 C.F.R. § 42.5*

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On May 25, 2017, a conference call was held involving counsel for the respective parties and Judges Medley, Chang, and Ward. The purpose of the conference call was for Petitioner to seek authorization to file a reply to Patent Owner's Preliminary Response (Paper 6). Patent Owner opposed.

During the conference call, Petitioner argued that we should authorize a reply to address two claim construction issues and certain evidentiary arguments raised in the Preliminary Response. In particular, Petitioner contended that there is good cause for considering a reply, because Petitioner could not have anticipated arguments made by Patent Owner regarding the two claim construction issues or the evidentiary arguments. Petitioner also argued that having further briefing on these issues would be helpful to the panel.

Our rules do not authorize a petitioner to file a reply to a preliminary response. Rather, a petitioner seeking leave to file a reply must make a showing of good cause. 37 C.F.R. § 42.208(c). Based on the facts of this case and the arguments presented during the call, the panel disagrees that further briefing would be helpful or is warranted under the good cause standard. For the foregoing reasons, Petitioner's request to file a reply to Patent Owner's Preliminary Response is *denied*.

*Order*

It is

ORDERED that Patent Owner's request to file a reply to Patent Owner's Preliminary Response is *denied*.

PGR2017-00010  
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